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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,945	03/22/2004	Yi-Lung Kuo	23724-07788	2833
758	7590	01/19/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			WRIGHT, INGRID D	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/806,945	KUO, YI-LUNG	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ingrid Wright	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: _____                                     |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 & 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Justice et al. US 6299266 B1.

With respect to claim 1, Justice et al. teaches (see, fig. 2) a system for facilitating installation of and access to a computer drive (see, Abstract of Justice et al.) within a computer, the system comprising: a chassis (100) for a computer; a removable mounting structure (120) for receiving at least one electronic storage device (110), the mounting structure (120) adapted to be mounted within the computer chassis (100) and an attachment mechanism (220) for detachably coupling the mounting structure (120) to the computer chassis (100).

With respect to claim 3, Justice et al. teaches (see, fig. 2) a mounting structure (120) designed to receive at least a CD ROM or a hard disk drive (see, Abstract of Justice et al.), and illustrates another space for an additional drive in the computer chassis (100) (see, for example, fig. 2).

With respect to claim 4, Justice et al. teaches (see, fig. 2) a mounting structure (120), which comprises a base panel (200), two side panels (210), and a flange (see, noted area on attachment of fig. 2) bordering each side panel (210), wherein the connection between each side panel (210) and its corresponding flange (see, noted area on attachment of fig. 2) is substantially parallel to the connection between the side panel (210) and the base panel (200).

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With respect to claim 5, Justice et al. teaches (see, fig. 2) an attachment mechanism (220), tabs (240) and a hollow space (310) fitted to receive the tabs (240).

With respect to claim 6, Justice et al. teaches (see, fig. 2) a hollow space (310) located on the mounting structure (120).

2. Claims 8-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Justice et al. US 6299266 B1.

In regards to the method claims 8-15, the methods steps recited in the claims 8-15 are taught by Justice et al. Justice et al. disclosed securing a computer drive (see, Abstract of Justice et al.) to a mounting structure (120) comprising a base panel (200), two side panels (210), and a flange (see, noted area shown on attached fig. 2) bordering each side panel (210), wherein the connection between each side panel (210) and its corresponding flange (see, noted area shown on attached fig. 2) is substantially parallel to the connection between the side panel (210) and the base panel (200); the mounting structure (120) and computer drive (see, Abstract of Justice et al.) placed in a computer fitted to receive the mounting structure (120); and securing the mounting structure (120) to the computer, wherein after the mounting structure (120) is secured to the computer, a second drive to the computer is removably coupled, wherein after the mounting structure (120) is secured to the computer, the mounting structure (120) is accessed through an opening in the computer; and after accessing the mounting structure (120), closing the opening, wherein the mounting structure (120) is designed (see, fig.2 of Justice et al.) to receive at least two drives of different sizes, wherein accessing a computer drive from outside a computer, a mounting structure (120) removed from a computer for receiving a computer having a computer drive (see, Abstract of Justice et al.) mounted thereon; accessing the drive from outside the computer; and re-attaching the mounting structure (120) to the computer, wherein the mounting structure (120) comprises a base panel (200), two side

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panels (210), and a flange (see, noted area shown on attached fig. 2) bordering each side panel (210), wherein the connection between each side panel and its corresponding flange (see, noted area shown on attached fig. 2) is substantially parallel to the connection between the side panel (210) and the base panel (200), wherein further comprising: after re-attaching the mounting structure (120) to the computer, removably coupling a second drive to the computer, wherein further comprising: after re-attaching the mounting structure to the computer, accessing the mounting structure (120) through an opening in the computer; and after accessing the mounting structure (120), closing the opening in the computer.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Justice et al. US 6299266 B1 in view of Goodman et al. US 6606242 B2.

With respect to claim 2, Justice et al. teaches (see, fig. 2) a mounting structure (120) capable of receiving a CD ROM drive or a hard disk drive (see, Abstract of Justice et al.) interchangeably stacked on each other.

Justice et al. is silent as to an additional floppy drive received by the mounting structure but illustrates a space for an additional drive in the chassis shown (see, for example, fig. 2).

Goodman teaches (see, fig. 2) a floppy drive (60) mounted on a mounting structure (10) in a computer chassis.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize an additional floppy drive in the invention of Justice et al., in order to provide a mounting device for a floppy drive within a drive bay (see, col. 2, lines 1-9 of Goodman).

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Justice et al. US 6299266 B1.

With respect to claim 7, Justice et al. teaches (see, fig. 2) a system for facilitating installation of and access to a computer drive (100), the system comprising: a mounting structure (120) comprising a base panel (200), two side panels (210), and a flange (see, noted area shown on attached fig. 2) bordering each side panel (210), wherein the connection between each side panel (210) and its corresponding flange (see, noted area shown on attached fig. 2) is substantially parallel to the connection between the side panel (210) and the base panel (200), each side panel (210) containing a hole for a screw, and each flange (see, noted area shown on fig. 2) containing a hole for a screw and a downward tab, the mounting structure (120) capable of receiving a floppy drive or a hard drive (see, Abstract of Justice et al.) such that the drives rest on the base panel (200); and a drive bay within a computer capable of receiving the mounting structure (120), containing at least two screw holes ((230) & see, fig. 2), two hollow tabs (see, noted area shown on fig. 2) and downward tabs (240) on the flanges (see, noted area shown on fig. 2) of the mounting structure (120) by which the mounting structure (120) can be attached to the drive bay, the drive bay further capable of supporting a CD-ROM (see, Abstract of Justice et al.) drive stackable on the mounting structure (120).

Although, Justice et al. teaches at least two screw holes and two hollow tabs, that do not match screw holes and downward tabs on the flanges of the mounting structure that are attached to the CD ROM or hard disk drive, he is silent as to the aforementioned attached to the drive bay.

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Justice et al. further teaches that it is possible to use any combination of tabs and fixing holes for the electronic storage device, as long as the electronic storage device can be removed from the mounting structure (120) (see, col. 4, lines 25-34 of Justice et al.).

It would have been obvious to use any combination of tabs and fixing holes for the electronic storage device as taught by Justice et al., in order to provide a means for a subsystem unit to be removed from the tray or mounting structure (see, col. 4, lines 25-34 of Justice et al.).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Behl et al. US 6982872 B2 shows the state of the art regarding storage devices in computers with rack and carrier configurations.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571)272-8392. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571)272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1/17/06

*Lisa Lea-Edmonds*  
**LISA LEA-EDMONDS**  
**PRIMARY EXAMINER**

